

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JUSTIN T. BOE,

Defendant.

8:13CR268

ORDER

This matter is before the court on the motion for an extension of time by defendant Justin T. Boe (Boe) (Filing No. 16). Boe seeks until September 6, 2013, in which to file pretrial motions in accordance with the progression order. Upon consideration, the motion will be granted.

**IT IS ORDERED:**

Defendant Boe's motion for an extension of time (Filing No. 16) is granted. Boe is given until **on or before September 6, 2013**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., **the time between August 30, 2013, and September 6, 2013**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 30th day of August, 2013.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge